

# ANTI-SLAVERY REPORTER,

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## Monthly Summary.

DOMESTIC. — It may be recollected, that some time ago the evidence of a Mr. Edenborough was published, which was intended to set aside the whole testimony and results of the Jamaica Royal Commission; also to implicate the late Mr. George William Gordon in an attempt to purchase a schooner and arms some months before the agrarian disturbance at Morant Bay, for the alleged purpose of founding a new West-India Republic. Those who had made a thorough investigation of the whole subject in Jamaica were aware that Mr. Edenborough's evidence was utterly unreliable. Had it been given at the proper time, when the Commissioners were on the spot, it would have been exposed at once. It was probably thought by Mr. Eyre's friends that to parade the evidence of the Confederate privateersman at a time when the results of the Commission were beginning to be forgotten, would assist them more with the public. After Mr. Edenborough's statement was made, it was necessary to communicate with Jamaica, Hayti, Richmond, New Orleans, and various other places, for the purpose of tracing up the story in all its ramifications, and we are informed that information has already been received, and that other affidavits are expected by successive foreign mails, which will enable those interested to refute the story of Mr. Edenborough in the most complete and thoroughly satisfactory manner as regards the late Mr. Gordon.

SPAIN. — The *Gaceta* has published the names of the persons appointed to act in

Cuba and in Porto Rico as registrars of slaves. The Government has ordered the Captain-General of these islands to report immediately on the number of slaves in them, in order to arrive at a basis for computing the amount of compensation to be given to their owners. The Minister for the Colonies is to present a plan of abolition to the Cortes.

UNITED STATES. — *Congressional*. — Both Houses assembled on the 21st November, by adjournment from the 28th July.

The President communicated his annual Message. He continues to adopt a tone of hostility towards Congress, and strongly advises that body to repeal the Act establishing military rule in the South. The finances are not quite so satisfactory as they were last year, the prospective balance of income over expenditure not being so large. The estimated receipts are 417 millions of dollars, against 393 millions on the debit side. The President does not write very hopefully of the Alabama question, although he expresses his conviction that England will not persist in refusing to satisfy just and reasonable claims.

Senator Sumner has introduced a Bill providing for the political equality of citizens in the district of Columbia, irrespective of colour.

On the 25th the Judiciary Committee of the House presented the testimony taken, and three reports on the impeachment question. That of the majority favours impeachment, and ends with a resolution that the President be impeached for high crimes and misdemeanours; those of the minority concludes that the case as presented by testimony and measured by the

law, does not disclose such high crimes and misdemeanours, within the meaning of the Constitution, as require the interposition of the constitutional power of the House.

The resolution to impeach Mr. Johnson was defeated in Congress, 57 yeas voting against 108 nays. Of the latter, 66 were Republicans and 40 Democrats.

The House of Representatives has passed a Bill for the repeal of the tax upon cotton grown after the present year, and the Committee on Freedmen's Affairs has been directed to report whether any reasons exist for continuing the Freedmen's Bureau beyond the time limited by law.

Both Houses have passed Bills enabling negroes to hold office and sit on juries in the District of Columbia.

*Miscellaneous.*—General Grant has issued an order giving the military district commanders a suspensory order over the Freedmen's Bureaux.

The trial of Jefferson Davis has been adjourned to the 3rd March. The ground of the postponement is, that it is thought desirable Chief Justice Chase should preside at the trial, while the necessity of his attending at the term of the U. S. Supreme Court in Washington, commencing on the 2nd Dec. ult. would prevent his presence in Richmond.

At a mass meeting called by the merchants and bankers of New York, General Grant was nominated national candidate for the Presidency.

The Life of Major M. R. Delany,\* the "Black Major" of the U. S. army, is in course of preparation, far advanced toward completion, with valuable papers and documents, and an account of his interview with the authorities at Washington previous to his entering the army. It is shortly to be offered to a first-class Boston publishing house.

The elections in North and South Carolina so far have been confined to the negroes, who unanimously support the Convention candidates.

The entire number of registered voters in South Carolina is 125,336, of whom 45,751 are white, and 79,583 coloured.

At a Convention of Conservative negroes held at Richmond, the cultivation of friendly relations with the whites was advocated.

\* This is the same "Dr." Delany who was in England a few years ago, and to whose presence at the Statistical Congress Lord Brougham called the attention of Mr. Buchanan, then United-States' minister here. Mr. Delany afterwards went to Africa, with Mr. Campbell, returned to the United States, and subsequently took part in the war at the head of a coloured regiment.—(Ed. A. S. R.)

At the Louisiana Constitutional Convention a white President was elected; also a coloured secretary, doorkeeper, and sergeant-at-arms. An ordinance has been offered to the effect that the Legislature shall establish free public schools throughout the State, and provide for their support by taxation; all children between the ages of six and eighteen to be admitted, without distinction of race, colour or previous condition, and no separate schools to be established for any race. A University is to be established in New Orleans, also to be open to all classes.

In a trial at the Court of General Sessions at Dover, Del., the evidence of the complainant, a coloured man, was offered, and was objected to, on the ground that the laws of Delaware do not permit coloured testimony when there are competent white witnesses. Chief Justice Gilpin admitted the testimony, because it had been the custom of the Court to permit prosecuting witnesses, even if coloured, to testify; but he gave it as his opinion that the Civil Rights Act of Congress, so far as it assumes to regulate and control the admission or rejection of testimony in that State, which is regulated by State laws, is inoperative and void.

It is stated that 6000 pounds of cotton were picked in a single day lately by eighteen negroes on a plantation in Georgia.

Fifteen negroes were among the delegates elected to the Alabama Reconstruction Convention.

The Mayor of St. Martinsville, La., is a negro.

There are two black men in Georgetown, D. C., each worth 50,000 dollars. One is a teamster, and the other keeps a feed store.

*WEST INDIES.*—A succession of earthquakes had occurred at St. Thomas' on the 18th November ult., following closely upon the fearful hurricanes of the previous month. A sea-wave, supposed to have been caused by a volcanic eruption, submerged a large portion of the town, and inflicted great damage on property, besides causing a melancholy loss of life.

The Governor, who had been on leave in Europe, had returned for the purpose of handing the island over to the Americans, and the American admiral had arrived for the purpose. The price was said to be 7,500,000 dollars. The inhabitants generally were very sorry at the idea of losing the protection of the Danish flag. The *St. Thomas Tidende* contains a proclamation from the king of Denmark, dated October 25, 1867, to the inhabitants of St. Thomas and St. John's, announcing the ceding of both islands to the United States of America, thanking them for their past loyalty and affection, and assuring them,

that in the terms of the treaty every care has been taken for the protection of their liberty, religion, property, and private rights.

*Jamaica.*—The Government has rejected the proposition of a yearly subsidy of 5000*l.* to promote immigration from the Southern States, the grounds on which the application was made being deemed "vague" and insufficient.

*Cuba.*—From Cuba the news is that the Governor of the island and the Spanish residents have received the intelligence of the sale of the Danish Antilles to the United States very unfavourably, and have a presentiment that it is a fatal omen for Spain. The Cubans, however, rejoice about it, and see a glimpse of hope for the future of Cuba.

The young Cuban poet, Torroella, had read, in the Lyceum of Matanzas, a fine piece of poetry, in memory of the poet Placido, who was shot in that city in 1844. His verses, which the auditory listened to with much pleasure, attracted the attention of the local government, and Mr. Torroella was called before the authorities of the city. Brigade-General Souza, Military Secretary, admonished Mr. Torroella, and finished by tearing, in his presence, the manuscript which Torroella had left at the office.

*Porto Rico* had been visited by a terrible hurricane, destroying most of the crops in the southern part of the island, causing the loss of two hundred lives, and reducing, it is said, 4000 families to destitution. Provisions were to be landed duty free for two months. By a royal decree, Porto Rico has been placed under the government of the Captain-General of Cuba.

#### SLAVERY AND SLAVE-LIFE IN BRAZIL.

In this Number we bring to a conclusion Mr. Redpath's letters upon Slavery and the Slave-trade in Brazil. We have reproduced them, because we thought them highly interesting, and throwing much light, from various sources, upon the true character of the "institution" in a country where its existence in a mild form has frequently been alleged, and, as we believe, with a certain amount of justification. We do not believe, however, that Slavery can exist in any country, nor in any form, without giving rise to cruelty. An abuse in itself, it must inevitably engender abuses of every kind. Nevertheless, when we see that, in Brazil, men who have been in bondage are not in consequence, and when free, precluded from holding honourable offices, and that prejudice against colour, as a simple question of colour, does not exist, we are bound to admit a certain

modification of the circumstances surrounding Slavery in Brazil, which demand recognition. With regard to Mr. Christie—late Minister at Rio—we believe him to have been zealously anti-Slavery; and had his anti-Slavery zeal less contaminated by party feeling and ill-temper, he would have rendered service to the cause of abolition. Unhappily for it—perhaps for himself—partisanship got the better of his judgment, and ill-temper obtained the mastery over both. In his representations to his superiors at home, he was not always accurate; hence it is necessary to receive with abatements for the infirmities above referred to, his sweeping assertions, that in his time the Brazilian Government was doing "nothing" to reduce or to mitigate Slavery. Nor is he correct in asserting that the coast-wise slave-trade "is attended with all the horrors of the African slave-trade." Horrible, indeed, is this traffic in itself; but it cannot truthfully be said to entail "all the horrors of the African slave-trade."

Mr. Christie's "Notes on Brazil" were made the medium of ungentlemanly, unmanly attacks upon individuals, who had an independent judgment of their own which forbade them from assenting blindly to all his views. They contained much that was true, but much also that was inaccurate, and very much that was highly abusive and not germane to the questions at issue. The same ill-temper, quarrelsomeness, and sad lack of discretion, which involved him in constant unseemly broils with the Brazilian authorities, led to the suspension of diplomatic relations between the Brazilian and the British Governments, and ultimately to his recall, are apparent throughout his "Notes;" and though we consider Mr. Redpath has done well to quote them, we suggest that they should be read with allowances for the distorted medium through which he saw. The evidence of Mr. Poole—the last witness quoted by Mr. Redpath—is at any rate as trustworthy as Mr. Christie's, and the reader will of course form his own judgment after giving to each due credit for sincerity.

#### MR. FLETCHER'S TESTIMONY.

[1857.] Rev. Mr. Kidder re-appeared as an author in Brazil in the company of Rev. Mr. Fletcher, and a new, revised edition of their work is now in the press. Mr. Fletcher discovered, what a prolonged residence in the country failed to make Mr. Kidder discern—the existence of millions of slaves there. It is mainly from Mr. Fletcher's statements that the public opinion of our people about Slavery in Brazil has been formed.

He states that one department of the *Casa da Correcao* in Rio de Janeiro is appropriated to the flogging of slaves, who are sent thither to be



chastised for disobedience or for common misdemeanours. They are received at any hour of the day or night, and retained, *free of expense*, as long as their masters choose to leave them. It would be remarkable, he says, if scenes of extreme cruelty did not sometimes occur here.

Besides the punishments of the *Casa da Correcao*, the refractory slave receives private floggings, and some of the most common expiations are the tin mask, the iron collar, and the log and chain. The last two denote runaways; but the tin mask is often placed upon the visage to prevent the city slave from drinking cachaza and the country slave from eating dirt, to which many of the field negroes are addicted.

Mr. Fletcher says that the Brazilian Constitution recognises, neither directly nor indirectly, colour as a basis of civil rights; hence, once free, the black man or the mulatto, if he possesses energy and talent, can rise to a social position from which his race in North America is debarred. *Until 1850, when the slave-trade was effectually put down, it was considered cheaper, on the country plantations, to use up a slave in five or six years and purchase another, than to take care of him.* Mr. Fletcher was informed of this fact by intelligent native Brazilians, and his own observations confirmed it. But since the slave-trade ceased, the price of slaves has been enhanced, and the selfish motives for taking greater care of them have been increased. City slaves are treated better than plantation slaves; they are more cheerful, more full of fun, and have greater opportunities for freeing themselves. But still the author thinks there must be great cruelty in some cases; for suicides among slaves—which were almost unknown in our Southern States—are of very frequent occurrence in the cities of Brazil.

In Brazil, according to Mr. Fletcher, every thing is in favour of freedom. It is the very Paradise of the negroes; for there they possess a warm climate, and, if they choose, may make their way up in the world "in a manner which can never be the case in the United States." Such, he says, are the facilities for the slave to emancipate himself, and when emancipated, if he possess the proper qualifications, to ascend to a higher eminence than those of a mere free black, that Slavery must disappear before another half century rolls around. By the Brazilian laws, a slave can go before a magistrate, have his price fixed, and can purchase himself; and Mr. Fletcher was informed that a man of mental endowments, even if he had been a slave, would be debarred from no official station, however high, unless it might be that of Imperial Senator. Some of the most intelligent men that he met with in Brazil—men educated at Paris and Coimbra—were of African descent, whose ancestors were slaves.

Their sinewy forms and jetty skins shew to advantage as they hasten at a quick trot, seemingly unmindful of their heavy loads. This work pays well, but it soon breaks them down. Their strength is prodigious. They have a system among themselves of buying the freedom of any one of their number who is the most respected. And having paid their master the sum that is required by him daily, they club together their sur-

plus to liberate the chosen favourite. An instance is recorded of the purchase of an African prince by his subjects in Rio—he and all of them being slaves—of his return to his native country, and subsequent reception and return to the same city, where he is now an athletic coffee-carrier! There are many different tribes of Africans in Rio, some being hostile to each other, and having different usages and languages. The Minas, an outdoor negro, is a Mahomedan still; the others are nominally Catholics. Thus, if a man have freedom, money and merit, no matter how black may be his skin, no place in society is refused him. It is surprising, also (says Mr. Fletcher), to observe the ambition and the advancement of some of these men with negro blood in their veins. The national library at Rio Janeiro furnishes not only quiet rooms, large tables and plenty of books to the seekers after knowledge, but pens and paper are supplied to such as desire these aids to their studies. Some of the closest students thus occupied are mulattoes. The largest and most successful printing establishment in Rio is owned and directed by a mulatto. In the colleges, the medical, law and theological schools, there is no distinction of colour.

Slaves go barefooted: shoes are the badge of freedom. The shod and the shoeless pay different rates of ferriage, for example. House slaves are decently clad, as a general rule, but the black male population who live in the open air are coarsely and dirtily attired. They are the porters and errand-goers of the streets. They are sent out by their masters, and are required to bring home a certain sum daily. They are allowed a certain portion of their gains to buy their food, and at night sleep on a mat or board in the lower purlieus of the house. You frequently see horrible cases of elephantiasis and other diseases, which are doubtless engendered or increased by the little care bestowed upon them.

The coffee-carriers are the finest race of blacks in Brazil. They are almost all of the Mina tribe, from the coast of Benin, and are athletic and intelligent. They work half clad. The Minas cannot be made good house-servants: they require to live in the fresh air. The men, therefore, become coffee-carriers and the women street pedlars. Many of these negroes have purchased their freedom and returned to Africa. Sixty of them once chartered a vessel for the purpose, and went back to their fatherland; or, as Mr. Campbell, an American man of colour, expressed it, their motherland.

Englishmen, Germans and Frenchmen hold slaves in Brazil, although it is in contravention to the laws of their country. The English mining company, whose stockholders are in Great Britain, but whose field of operation is S. Toao del Ray, in Brazil, own about 800 slaves, and hire 1000 more.

Mr. Fletcher has no doubt that Slavery is doomed in Brazil. True, but how? He does not say that the Government favours its "abolishment," and there is a witness who denies that it does, whom we will call on in our next investigation.



## THE PRESIDENT'S MESSAGE.

ACCORDING to custom, we present an abstract of the President's Message to Congress. We reprint only those parts of it which have a direct bearing upon the Emancipation question. Our comments upon it will be found in another column.

## ABSTRACT OF MESSAGE.

"Fellow-Citizens of the Senate and House of Representatives,—

"The continued disorganization of the Union, to which the President has so often called the attention of Congress, is yet a subject of profound and patriotic concern. We may, however, find some relief from that anxiety in the reflection that the painful political situation, although before untried by ourselves, is not new in the experience of nations. Political science, perhaps as highly perfected in our own time and country as in any other, has not yet disclosed any means by which civil wars can be absolutely prevented. An enlightened nation, however, with a wise and beneficent Constitution of free government, may diminish their frequency and mitigate their severity by directing all its proceedings in accordance with its fundamental law. When a civil war has been brought to a close it is manifestly the first interest and duty of the State to repair injuries which the war has inflicted, and to secure the benefit of the lessons it teaches as fully and speedily as possible. This duty was, upon the termination of the rebellion, promptly accepted not only by the Executive Department, but by the in-urrectionary States themselves, and restoration in the first moment of peace was believed to be as easy and certain as it was indispensable. The expectations, however, then so reasonably and confidently entertained were disappointed by legislation, from which I felt constrained by my obligations to the Constitution to withhold my assent. It is, therefore, a source of profound regret that, in complying with the obligation imposed upon the President by the Constitution to give to Congress from time to time information of the state of the Union, I am unable to communicate any definitive adjustment satisfactory to the American people of the questions which, since the close of the rebellion, have agitated the public mind. On the contrary, candour compels me to declare that at this time there is no Union as our fathers understood the term, and as they meant it to be understood by us. The Union which they established can exist only where all the States are represented in both Houses of Congress, where one State is as free as another to regulate its internal concerns according to its own will, and where the laws of the central government, strictly confined to matters of national jurisdiction, apply with equal force to all the people of every section. That such is not the present 'state of the Union' is a melancholy fact, and we must all acknowledge that the restoration of the States to their proper legal relations with the Federal Government and with one another according to the terms of the original compact would be the greatest temporal blessing which God in His kindest providence could bestow upon this nation. It becomes our imperative duty to consider whether or not it is

impossible to effect this most desirable consummation.

"The Union and the Constitution are inseparable. As long as one is obeyed by all parties, the other will be preserved; and if one is destroyed, both must perish together. The destruction of the Constitution will be followed by other and still greater calamities. It was ordained not only to form a more perfect union between the States, but to 'establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.' Nothing but implicit obedience to its requirements in all parts of the country will accomplish these great ends. Without that obedience we can look forward only to continual outrages upon individual rights, incessant breaches of the public peace, national weakness, financial dishonour, the total loss of our prosperity, the general corruption of morals, and the final extinction of popular freedom. To save our country from evils so appalling as these we should renew our efforts again and again. To me the process of restoration seems perfectly plain and simple. It consists merely in a faithful application of the Constitution and laws. The execution of the laws is not now obstructed or opposed by physical force. There is no military or other necessity, real or pretended, which can prevent obedience to the Constitution, either North or South. All the rights and all the obligations of States and individuals can be protected and enforced by means perfectly consistent with the fundamental law. The Courts may be everywhere open, and, if open, their process would be unimpeded. Crimes against the United States can be prevented or punished by the proper judicial authorities in a manner entirely practicable and legal. There is, therefore, no reason why the Constitution should not be obeyed, unless those who exercise its powers have determined that it shall be disregarded and violated. The mere naked will of this Government, or of some one or more of its branches, is the only obstacle that can exist to a perfect union of all the States on this momentous question, and in some of the measures growing out of it I have had the misfortune to differ from Congress, and have expressed my convictions without reserve, though with becoming deference, to the opinion of the Legislative Department. These convictions are not only unchanged, but strengthened by subsequent events and further reflection. The transcendent importance of the subject will be a sufficient excuse for calling your attention to some of the reasons which have so strongly influenced my own judgment. The hope that we may all finally concur in a mode of settlement consistent at once with our true interests and with our sworn duties to the Constitution is too natural and too just to be easily relinquished.

## "THE STATUS OF THE REBEL STATES.

"It is clear to my apprehension that the States lately in rebellion are still members of the National Union. When did they cease to be so? 'The Ordinances of Secession' adopted by a portion—in most of them a very small portion—of their citizens were mere nullities. If we admit now that they were valid and effectual for

the purpose intended by their authors we sweep from under our feet the whole ground upon which we justified the war. Were those States afterwards expelled from the Union by the war? The direct contrary was averred by this Government to be its purpose, and was so understood by all those who gave their blood and treasure to aid in its prosecution. It cannot be that a successful war waged for the preservation of the Union had the legal effect of dissolving it. The victory of the nation's arms was not the disgrace of her policy; the defeat of Secession on the battle-field was not the triumph of its lawless principle: nor could Congress, with or without the consent of the Executive, do any thing which would have the effect, directly or indirectly, of separating the States from each other. To dissolve the Union is to repeal the Constitution which holds it together, and that is a power which does not belong to any department of this Government, or to all of them united. This is so plain that it has been acknowledged by all branches of the Federal Government. The Executive (my predecessor as well as myself) and the heads of all the departments have uniformly acted upon the principle that the Union is not only undissolved, but indissoluble. Congress submitted an amendment of the Constitution to be ratified by the Southern States, and accepted their acts of ratification as a necessary and lawful exercise of their highest function. If they were not States, or were States out of the Union, their consent to a change in the fundamental law of the Union would have been nugatory, and Congress in asking it committed a political absurdity. The Judiciary has also given the solemn sanction of its authority to the same view of the case. The Judges of the Supreme Court have included the Southern States in their circuits, and they are constantly *in banc* and elsewhere exercising jurisdiction which does not belong to them, unless those States are States of the Union. If the Southern States are component parts of the Union, the Constitution is the supreme law for them, as it is for all the other States. They are bound to obey it, and so are we. The right of the Federal Government, which is clear and unquestionable to enforce the Constitution upon them, implies the correlative obligation on our part to observe its limitations and execute his guaranties. Without the Constitution we are nothing. By, through, and under the Constitution we are what it makes us. We may doubt the wisdom of the law, we may not approve of its provisions; but we cannot violate it merely because it seems to confine our powers within limits narrower than we could wish. It is not a question of individual, or class, or sectional interest, much less of party predominance, but of duty, of high and sacred duty, which we are all sworn to perform. If we cannot support the Constitution with the cheerful alacrity of those who love and believe in it, we must give to it at least the fidelity of public servants who act under solemn obligations and commands which they dare not disregard. The Constitutional duty is not the only one which requires the States to be restored. There is another consideration which, though of minor importance, is yet of great weight. On the 22d of

July 1861, Congress declared, by an almost unanimous vote of both Houses, that war should be conducted solely for the purpose of preserving the Union and maintaining the supremacy of the Federal Constitution and laws, without impairing the dignity, equality, and rights of the States or individuals, and that when this was done, the war should cease. I do not say that this declaration is personally binding on those who joined in making it, any more than individual members of Congress are personally bound to pay a public debt created under a law for which they voted. But it was a solemn public official pledge of the national honour, and I cannot imagine upon what grounds the repudiation of it is to be justified. If it be said that we are not bound to keep faith with rebels, let it be remembered that this promise was not made to rebels only. Thousands of true men in the South were drawn to our standard by it, and hundreds of thousands in the North gave their lives in the belief that it would be carried out. It was made on the day after the first great battle of the war had been fought and lost. All patriotic and intelligent men then saw the necessity of giving such an assurance, and believed that, without it, the war would end in disaster to our cause. Having given that assurance in the extremity of our peril, violation of it now, in the day of our power, would be a rude rendering of that good faith which holds the moral world together. Our country would cease to have any claim upon the confidence of men. It would make the war not only a failure, but a fraud.

#### "THE RECONSTRUCTION LAWS."

"Being sincerely convinced that these views are correct, I would be unfaithful to my duty if I did not recommend the repeal of the Acts of Congress which place ten of the Southern States under the domination of military masters. If calm reflection shall satisfy a majority of your honourable bodies that the Acts referred to are not only a violation of the national faith, but in direct conflict with the Constitution, I dare not permit myself to doubt that you will immediately strike them from the Statute-book. To demonstrate the unconstitutional character of those Acts, I need do no more than refer to their general provisions. It must be seen at once that they are not authorized. To dictate what alteration shall be made in the Constitutions of the several States; to control the elections of State legislators and State officers, members of Congress, and electors of President and Vice-President, by arbitrarily declaring who shall vote and who shall be excluded from that privilege; to dissolve State Legislatures or prevent them from assembling; to dismiss Judges and other Civil functionaries of the State, and appoint others without regard to State law; to organize and operate all the political machinery of the States; to regulate the whole administration of their domestic and local affairs according to the mere will of strange and irresponsible agents sent among them for that purpose;—these are powers not granted to the Federal Government or to any one of its branches. Not being granted, we violate our trust by assuming them as palpably as we would by acting in the face of a positive interdict; for the Constitution forbids us to do whatever it does not affirmatively

authorize, either by express words or by clear implication. If the authority we desire to use does not come through the Constitution, we can exercise it only by usurpation, and usurpation is the most dangerous of political crimes. By that crime the enemies of free government in all ages have worked out their designs against public liberty and private right. It leads directly and immediately to the establishment of absolute rule, for undelegated power is always unlimited and unrestrained. The Acts of Congress in question are not only objectionable for their assumption of ungranted power, but many of their provisions are in conflict with the direct prohibitions of the Constitution. The Constitution commands that a republican form of government shall be guaranteed to all the States; that no person shall be deprived of life, liberty, or property without the due process of law, arrested without a judicial warrant, or punished without a fair trial before an impartial jury; that the privilege of *Habeas Corpus* shall not be denied in time of peace, and that no bill of attainder shall be passed even against a single individual. Yet the system of measures established by these Acts of Congress does totally subvert and destroy the form as well as the substance of republican government in the ten States to which they apply. It binds them hand and foot in absolute slavery, and subjects them to a strange and hostile power more unlimited and more likely to be abused than any other now known among civilized men. It tramples down all those rights in which the essence of liberty consists, and which a free Government is always most careful to protect. It denies the *Habeas Corpus* and the trial by jury. Personal freedom, property, and life, if assailed by the passion, the prejudice, or the rapacity of the ruler, have no security whatever. It has the effect of a bill of attainder, or a bill of pains and penalties, not upon a few individuals, but upon whole masses, including the millions who inhabit the subjected States, and even their unborn children. These wrongs being expressly forbidden cannot be constitutionally inflicted upon any portion of our people, no matter how they may have come within our jurisdiction, and no matter whether they live in States, territories, or districts. I have no desire to save from the proper and just consequences of their great crime those who engaged in rebellion against the Government; but, as a mode of punishment, the measures under consideration are the most unreasonable that could be invented. Many of these people are perfectly innocent; many kept their fidelity to the Union untainted to the last; many were incapable of any legal offence; a large proportion even of the persons able to bear arms were forced into rebellion against their will, and of those who are guilty with their own consent the degrees of guilt are as various as the shades of their character and temper. But these Acts of Congress confound them all together in one common doom. Indiscriminate vengeance upon classes, sects, and parties, or upon whole communities, for offences committed by a portion of them against the governments to which they owed obedience was common in the barbarous ages of the world; but Christianity and civilization have made such progress that recourse to a

punishment so cruel and unjust would meet with the condemnation of all unprejudiced and right-minded men. The punitive justice of this age, and especially of this country, does not consist in stripping whole States of their liberties, and reducing all their people, without distinction, to the condition of Slavery. It deals separately with each individual, confines itself to the forms of law, and vindicates its own purity by an impartial examination of every case before a competent judicial tribunal. If this does not satisfy all our desires with regard to Southern rebels, let us console ourselves by reflecting that a free Constitution, triumphant in war and unbroken in peace, is worth far more to us and our children than the gratification of any present feeling. I am aware it is assumed that this system of government for the Southern States is not to be perpetual. It is true this military government is to be only provisional, but it is through this temporary evil that a greater evil is to be made perpetual. If the guarantees of the Constitution can be broken provisionally to serve a temporary purpose, and in part only of the country, we can destroy them everywhere and for all time. Arbitrary measures often change, but they generally change for the worse. It is the curse of despotism that it has no halting-place. The intermitted exercise of its power brings no sense of security to its subjects, for they can never know what more they will be called to endure when its red right hand is armed to plague them again. Nor is it possible to conjecture how or where power, unrestrained by law, may seek its next victims. The States that are still free may be enslaved at any moment; for, if the Constitution does not protect all, it protects none.

#### "NEGRO SUFFRAGE."

"It is manifestly and avowedly the object of these laws to confer upon the negroes the privilege of voting, and to disfranchise such a number of white citizens as will give the former a clear majority at all elections in the Southern States. This to the mind of some persons is so important that a violation of the Constitution is justified as a means of bringing it about. The morality is always false which excuses a wrong because it proposes to accomplish a desirable end. We are not permitted to do evil that good may come; but in this case the end itself is evil, as well as the means. The subjugation of the States to negro domination would be worse than the military despotism under which they are now suffering. It was believed beforehand that the people would endure any amount of military oppression for any length of time rather than degrade themselves by subjection to the negro race. Therefore, they have been left without a choice. Negro suffrage was established by Act of Congress, and the military officers were commanded to superintend the process of clothing the negro race with the political privileges torn from white men. The blacks in the South are entitled to be well and humanely governed, and to have the protection of just laws for all their rights of person and property. If it were practicable at this time to give them a government exclusively their own, under which they might manage their own affairs in their own way, it



would become a grave question whether we ought to do so, or whether common humanity would not require us to save them from themselves. But, under the circumstances, this is only a speculative point. It is not proposed merely that they shall govern themselves, but that they shall rule the white race, make and administer State laws, elect Presidents and members of Congress, and shape to a greater or less extent the future destiny of the whole country. Would such a trust and power be safe in such hands? The peculiar qualities which should characterize any people who are fit to decide upon the management of public affairs for a great State have seldom been combined. It is the glory of white men to know that they have had these qualities in sufficient measure to build upon this continent a great political fabric, and to preserve its stability for more than ninety years, while in every other part of the world all similar experiments have failed. But if any thing can be proved by known facts, if all reasoning upon evidence is not abandoned, it must be acknowledged that in the progress of nations negroes have shewn less capacity for government than any other race of people. No independent government of any form has ever been successful in their hands. On the contrary, wherever they have been left to their own devices they have shewn a constant tendency to relapse into barbarism. In the Southern States, however, Congress has undertaken to confer upon them the privilege of the ballot. Just released from Slavery, it may be doubted whether, as a class, they know more than their ancestors how to organize and regulate civil society. Indeed, it is admitted that the blacks of the South are not only regardless of the rights of property, but so utterly ignorant of public affairs, that their voting can consist in nothing more than carrying a ballot to the place where they are directed to deposit it. I need not remind you that the exercise of the elective franchise is the highest attribute of an American citizen, and that, when guided by virtue, intelligence, patriotism, and a proper appreciation of our free institutions, it constitutes the true basis of a Democratic form of government, in which the sovereign power is lodged in the body of the people. A trust artificially created, not for its own sake, but solely as a means of promoting the general welfare, its influence for good must necessarily depend upon the elevated character and the true allegiance of the elector. It ought, therefore, to be reposed in none except those who are fitted morally and mentally to administer it well; for if conferred upon persons who do not justly estimate its value, and who are indifferent as to its results, it will only serve as the means of placing power in the hands of the unprincipled and ambitious, and must eventuate in the complete destruction of that liberty of which it should be the most powerful conservator. I have, therefore, heretofore urged upon your attention the great danger "to be apprehended from an untimely extension of the elective franchise to any new class in our country, especially when a large majority of that class, in wielding the power thus placed in their hands, cannot be expected correctly to comprehend the duties and responsibilities which pertain to suffrage. Yes-

terday, as it were, four millions of persons were held in a condition of Slavery that had existed for generations; to-day they are free men, and are assumed by law to be citizens. It cannot be presumed, from their previous condition of servitude, that, as a class, they are as well informed as to the nature of our Government as the intelligent foreigner who makes our land the home of his choice. In the case of the latter, neither a residence of five years and a knowledge of our institutions which it gives, nor attachment to the principles of the Constitution, are the only conditions upon which he can be admitted to citizenship. He must prove, in addition, a good moral character, and thus give reasonable ground for the belief that he will be faithful to the obligations which he assumes as a citizen of the Republic. Where a people, the source of all political power, speak by their suffrages through the instrumentality of the ballot-box, it must be carefully guarded against the control of those who are corrupt in principle and enemies of free institutions; for it can only become to our political and social system a safe conductor of healthy, popular sentiment when kept free from demoralizing influences. Controlled through fraud and usurpation by the designing, anarchy and despotism must inevitably follow. In the hands of the patriotic and worthy, our Government will be preserved upon the principles of the Constitution inherited from our fathers. It follows, therefore, that in admitting to the ballot-box a new class of voters not qualified for the exercise of the elective franchise, we weaken our system of government, instead of adding to its strength and durability. 'I yield to no one in attachment to that rule of general suffrage which distinguishes our policy as a nation. But there is a limit wisely observed hitherto which makes the ballot a privilege and a trust, and which requires of some classes a time suitable for probation and preparation. To give it indiscriminately to a new class, wholly unprepared by previous habits and opportunities to perform the trust which it demands, is to degrade it, and finally to destroy its power; for it may be safely assumed that no political truth is better established than that such indiscriminate and all-embracing extension of popular suffrage must end at last in its overthrow and destruction.' I repeat the expression of my willingness to join in any plan within the scope of our constitutional authority which promises to better the condition of the negroes in the South by encouraging them in industry, enlightening their minds, improving their morals, and giving protection to all their just rights as freedmen; but the transfer of our political inheritance to them would, in my opinion, be an abandonment of a duty which we owe alike to the memory of our fathers and the rights of our children. The plan of putting the Southern States wholly, and the general Government partially, into the hands of negroes is proposed at a time peculiarly unpropitious. The foundations of society have been broken up by civil war. Industry must be re-organized, justice re-established, public credit maintained, and order brought out of confusion. To accomplish these ends would require all the wisdom and virtue of the great men who formed

our institutions originally. I confidently believe that their descendants will be equal to the arduous task before them; but it is worse than madness to expect that negroes will perform it for us. Certainly we ought not to ask their assistance until we despair of our own competency. The great difference between the two races in physical, mental, and moral characteristics will prevent an amalgamation or fusion of them together in one homogeneous mass. If the inferior obtains the ascendancy over the other, it will govern with reference only to its own interest; for it will recognize no common interest, and create such a tyranny as this continent has never yet witnessed. Already the negroes are influenced by promises of confiscation and plunder. They are taught to regard as an enemy every white man who has any respect for the rights of his own race. If this continues it must become worse and worse, until all order will be subverted, all industry cease, and the fertile fields of the South grow up into a wilderness. Of all the dangers which our nation has yet encountered, none are equal to those which must result from the success of the effort now making to Africanize the half of our country.

#### "THE COST OF CONGRESSIONAL RECONSTRUCTION."

"I would not put considerations of money in competition with justice and right; but the expenses incident to 'reconstruction' under the system adopted by Congress aggravate what I regard as the intrinsic wrong of the measure itself. It has cost uncounted millions already, and, if persisted in, will add largely to the weight of taxation, already too oppressive to be borne without just complaint, and may finally reduce the Treasury of the nation to a condition of bankruptcy. We must not delude ourselves. It will require a strong standing army and probably more than two hundred millions of dollars per annum to maintain the supremacy of negro governments after they are established. The sum thus thrown away would, if properly used, form a sinking fund large enough to pay the whole national debt in less than 15 years. It is vain to hope that negroes will maintain their ascendancy themselves. Without military power they are wholly incapable of holding in subjection the white people of the South. I submit to the judgment of Congress whether public credit may not be injuriously affected by a system like this. With our debt and the vast private interests which are complicated with it, we cannot be too cautious of a policy which might by possibility impair the confidence of the world in our Government. That confidence can only be retained by carefully inculcating the principles of justice and honour on the popular mind, and by the most scrupulous fidelity to all our engagements of every sort. Any serious breach of the organic law persisted in for a considerable time, cannot but create fears for the stability of our institutions. Habitual violation of prescribed rules which we bind ourselves to observe must demoralize the people. Our only standard of civil duty being set at naught, the sheet-anchor of our political morality is lost, the public conscience swings from its moorings, and yields to every

impulse of passion and interest. If we repudiate the Constitution, we will not be expected to care much for mere pecuniary obligations. The violation of such a pledge as we made on the 22nd of July 1861 will assuredly diminish the market value of our other promises. Besides, if we now acknowledge that the national debt was created not to hold the States in the Union, as the taxpayers were led to suppose, but to expel them from it and hand them over to be governed by negroes, the moral duty to pay it may seem much less clear. I say it may seem so, for I do not admit that this or any other argument in favour of repudiation can be entertained as sound; but its influence on some classes of minds may well be apprehended. The financial honour of a great commercial nation, largely indebted, and with a republican form of government, administered by the agents of the popular choice, is a thing of such delicate texture, and the destruction of it would be followed by such unspeakable calamity, that every true patriot must desire to avoid whatever might expose it to the slightest danger. The great interests of the country require immediate relief from these enactments. Business in the South is paralyzed by a sense of general insecurity, by the terror of confiscation, and the dread of negro supremacy. The Southern trade, from which the North would have derived so great a profit under a government of law, still languishes, and can never be revived until it ceases to be fettered by the arbitrary power which makes all its operations unsafe. That rich country—the richest in natural resources the world ever saw—is worse than lost if it be not soon placed under the protection of a free Constitution. Instead of being, as it ought to be, a source of wealth and power, it will become an intolerable burden upon the rest of the nation.

#### "THE LATE ELECTIONS."

"Another reason for retracing our steps will doubtless be seen by Congress in the late manifestations of public opinion upon this subject. We live in a country where the popular will always enforces obedience to itself, sooner or later. It is vain to think of opposing it with anything short of legal authority backed by overwhelming force. It cannot have escaped your attention that, from the day on which Congress fairly and formally presented the proposition to govern the Southern States by military force, with a view to the ultimate establishment of negro supremacy, every expression of the general sentiment has been more or less adverse to it. The affections of this generation cannot be detached from the institutions of their ancestors. Their determination to preserve the inheritance of free government in their own hands, and transmit it undivided and unimpaired to their own posterity, is too strong to be successfully opposed. Every weaker passion will disappear before that love of liberty and law for which the American people are distinguished above all others in the world.

#### "THE PRESIDENT V. CONGRESS."

"How far the duty of the President 'to preserve, protect, and defend the Constitution' requires him to go in opposing an unconstitutional

act of Congress is a very serious and important question, on which I have deliberated much, and felt extremely anxious to reach a proper conclusion. Where an Act has been passed according to the forms of the Constitution by the supreme legislative authority, and is regularly enrolled among the public statutes of the country, Executive resistance to it, especially in times of high party excitement, would be likely to produce violent collision between the respective adherents of the two branches of Government. This would be simply civil war, and civil war must be resorted to only as a last remedy for the worst of evils. Whatever might tend to provoke it should be most carefully avoided. A faithful and conscientious magistrate will concede very much to honest error, and something even to perverse malice, before he will endanger the public peace; and he will not adopt forcible measures, or such as might lead to force, as long as those which are peaceable remain open to him or to his constituents. It is true that cases may occur in which the Executive would be compelled to stand on its rights and maintain them, regardless of consequences. If Congress should pass an Act which is not only in palpable conflict with the Constitution, but will certainly, if carried out, produce immediate, and irreparable injury to the organic structure of the Government, and if there be neither judicial remedy for the wrongs it inflicts, nor power in the people to protect themselves, without the official aid of their elected defender;—if, for instance, the Legislative Department should pass an Act, even through all the forms of law, to abolish a co-ordinate department of the Government,—in such a case the President must take the high responsibilities of his office and save the life of the nation at all hazards. The so-called Reconstruction Acts, though as plainly unconstitutional as any that can be imagined, were not believed to be within the class last mentioned. The people were not wholly disarmed of the power of self-defence; in all the Northern States they still held in their hands the sacred right of the ballot, and it was safe to believe that in due time they would come to the rescue of their own institutions. It gives me pleasure to add that the appeal to our common constituents was not taken in vain, and that my confidence in their wisdom and virtue seems not to have been misplaced.

#### “THE ALABAMA CLAIMS.

“No arrangement has as yet been reached for the settlement of our claims for British depredations upon the commerce of the United States. I have felt it my duty to decline the proposition of arbitration made by Her Majesty's Government, because it has hitherto been accompanied by reservations and limitations incompatible with the rights, interest, and honour of our country. It is not to be apprehended that Great Britain will persist in her refusal to satisfy these just and reasonable claims, which involve the sacred principle of non-intervention—a principle henceforth not more important to the United States than all other commercial nations.

#### “THE WEST INDIES.

“The West-India Islands were settled and

colonized by European States simultaneously with the settlement and colonization of the American continent. Most of the colonies planted here became independent nations at the close of the last and the beginning of the present century. Our own country embraces communities which at one period were colonies of Great Britain, France, Spain, Holland, Sweden, and Russia. The people in the West Indies, with the exception of those of the Island of Hayti, have neither attained nor aspired to independence, nor have they become prepared for self-defence. Although possessing considerable commercial value, they have been held by the several European States which colonized or at some time conquered them chiefly for purposes of military and naval strategy, in carrying out European policy and designs in regard to this continent. In our revolutionary war, ports and harbours in the West-India Islands were used by our enemy, to the great injury and embarrassment of the United States. We had the same experience in our second war with Great Britain. The same European policy for a long time excluded us even from trade with the West Indies, while we were at peace with all nations. In our recent civil war, the rebels and their piratical and blockage-breaking allies found facilities in the same ports for the work, which they too successfully accomplished, of injuring and devastating the commerce which we are now engaged in rebuilding. We laboured especially under this disadvantage; that European steam vessels, employed by our enemies, found friendly shelter, protection, and supplies in West-Indian ports, while our own naval operations were necessarily carried on from our own distant shores. There was then a universal feeling of the want of an advanced naval outpost between the Atlantic coast and Europe. The duty of obtaining such an outpost peacefully and lawfully, while neither doing nor menacing injury to other States, earnestly engaged the attention of the Executive department before the close of the war, and it has not been lost sight of since that time. A not entirely dissimilar naval want revealed itself during the same period on the Pacific coast. The required foothold there was fortunately secured by our late treaty with the Emperor of Russia, and it now seems imperative that the more obvious necessities of the Atlantic coast should not be less carefully provided for. A good and convenient port and harbour, capable of easy defence, will supply that want. With the possession of such a station by the United States, neither we nor any other American nation need longer apprehend injury or offence from any Transatlantic enemy. I agree with our early statesmen that the West Indies naturally gravitate to, and may be expected ultimately to be absorbed by, the Continental States, including our own. I agree with them, also, that it is wise to leave the question of such absorption to this process of natural political gravitation. The Islands of St. Thomas and St. John's, which constitute a part of the group called the Virgin Islands, seemed to offer us advantages immediately desirable, while their acquisition could be secured in harmony with the principles to which I have alluded. A treaty has therefore been concluded with the King of Denmark for the cession of



those islands, and will be submitted to the Senate for consideration.

“THE SLAVE-TRADE.

“The abuse of our laws by the clandestine prosecution of the African slave-trade from American ports, or by American citizens, has altogether ceased, and under existing circumstances no apprehension of its renewal in this part of the world are entertained. Under these circumstances it becomes a question whether we shall not propose to Her Majesty's Government a suspension or discontinuance of the stipulations for maintaining a naval force for the suppression of that trade.

“ANDREW JOHNSON.

“Washington, Dec. 3, 1867.”

### REPORTS ON THE IMPEACHMENT OF PRESIDENT JOHNSON.

PRESIDENT JOHNSON escapes impeachment. On the 28th November ult. the Judiciary Committee of the House, to which the question had been referred, sent in three reports, the majority being in favour of impeachment, but a minority against it. As there was not unanimity, the motion for impeachment was ultimately defeated. We place on record the principal points of the reports.

The following are the principal points of the reports:

#### THE MAJORITY REPORT.

The majority report from the Judiciary Committee is signed by George S. Boutwell, Francis Thomas, Thomas Williams, William Lawrence, John C. Churchill. It recites the facts elicited by the evidence given before the Committee, and concludes with the following charges against the President:

1. That, upon the final surrender of the rebel armies and the overthrow of the rebel Government, he neglected to convene Congress.

2. That, in his proclamation to the people of North Carolina of the 29th of May 1865, he assumed that he had authority to decide whether the Government of North Carolina, and whether any other Government that might be set up therein, was republican in form, and that in his office of President it was his duty and within his power to guarantee to said people a republican form of Government, contrary to the Constitution.

3. That he thereafter recognised a plan of Government set up in North Carolina, in conformity to his own advice and direction, as republican in form, and entirely restored in its functions as a State, notwithstanding Congress is the branch of the Government in which, by the Constitution, such power is exclusively vested, and notwithstanding Congress did refuse to recog-

nise such Government as a legitimate Government, or as a Government republican in form.

4. That in 1865, by public proclamation, he solicited conventions in other rebellious States, and urged and directed such conventions to frame Constitutions for such States; and thereupon assumed to ratify certain so-called Constitutions, framed by such illegal and treasonable assemblages of persons, which Constitutions were never submitted to the people of the respective States, nor ratified and confirmed by the United States, thus usurping and exercising powers vested by the Constitution in the Congress of the United States exclusively.

5. That he pardoned large numbers of public and notorious traitors, with the design of receiving from them aid in such conventions called by his advice and direction, for the purpose of organizing and setting up such illegal Governments in the States then recently in rebellion prior to the annual meeting of Congress, with the intent thus to constrain Congress to ratify such unconstitutional proceedings.

6. That he illegally established the office of Provisional Governor.

7. That he appointed notorious traitors as Provisional Governors, and made illegal use of public money to pay them.

8. That he used property taken from the enemy in time of war for the payment of the expense and the support of the said illegal and unconstitutional Governments of said States recently in rebellion and for a like purpose, and in violation of the Constitution permitted a levy of taxes upon the people of said States.

9. That in his Messages to Congress, and otherwise, he has publicly denied substantially the right of Congress to provide for the pacification, government, and restoration of said States to the Union, and has asserted his exclusive right to provide Governments therefor, and to accept and proclaim the restoration of said States to the Union, all of which is in derogation of the rightful authority of Congress.

10. That he has vetoed various Bills passed by Congress for the pacification and government of the States recently in rebellion, and for their speedy restoration to the Union.

11. That he has exercised the power of removal and appointment for the purpose of maintaining his usurpation, and for the purpose of securing the recognition by Congress of the State Governments so illegally and unconstitutionally set up.

12. That he has pardoned deserters from the army who deserted in time of war.

13. That he has attempted to prevent the ratification of an amendment to the

Constitution proposed to the several States, agreeable to the Constitution of the United States, although such proposed amendment provided, among other things, for the validity of the public debt of the United States, rendered the payment of any claim for slaves emancipated or of any debt incurred in aid of insurrection or rebellion against the United States or any of the States recently in rebellion.

14. That he has made public declarations and statements to injure the credit of the United States, to encourage persons recently engaged in rebellion against its authorities, to obstruct and resist the reorganization of the rebel States, so called, upon a republican basis, and calculated and designed also to deprive Congress of the confidence of the people.

15. That in all this he has exercised the veto power, the power of removal and appointment, the pardoning power, and other constitutional powers of his office, for the purpose of delaying, hindering, obstructing, and preventing the restoration of the Union by constitutional means, and for the further purpose of alienating from the Government of the States those persons who had been engaged in the rebellion, and who, without aid, comfort, and encouragement—thus by him given to them—would have resumed in good faith their allegiance to the Constitution, and all with the expectation of conciliating them to himself personally, that he might thereby finally prevent the restoration of the Union upon the basis of the laws passed by Congress.

16. That he has authorized the transfer and surrender of railway property of the value of many millions of dollars to persons who had been engaged in the rebellion.

17. That he authorized the use of the army for dispersion of a peaceful and lawful assembly of citizens of Louisiana, and this by virtue of a despatch addressed to a person who was not an officer of the army, but who was a public and notorious traitor.

The majority of the Committee therefore recommend the adoption of the following resolution:

Resolved, That Andrew Johnson, President of the United States, be impeached of high crimes and misdemeanours.

MINORITY REPORT BY MESSRS. WILSON AND WOODBRIDGE.

James F. Wilson (chairman of the Committee) and Frederick E. Woodbridge present a minority report, in which they declare that much of the testimony heard is of no value whatever, and conclude thus:

"While we condemn and censure the political conduct of the President, and

judge him unwise in the use of his discretionary powers, and appeal to the people of the Republic to sustain us, we still affirm that the conclusion at which we have arrived is correct. We therefore declare that the case before us, presented by the testimony and measured by the law, does not declare such high crimes and misdemeanours within the meaning of the Constitution as require 'the interposition of the constitutional power of this House,' and recommend the adoption of the following resolution:

"Resolved, That the Committee on the Judiciary be discharged from the further consideration of the proposed impeachment of the President of the United States, and that the subject be laid upon the table."

"JAMES F. WILSON,

"FREDERICK E. WOODBRIDGE."

MINORITY REPORT BY MESSRS. ELDRIDGE AND MARSHALL.

Charles A. Eldridge and Samuel G. Marshall report as follows:

... "With all due respect to the majority of the Committee, we cannot regard the charges made against the President as a serious attempt to procure his impeachment without dwelling upon their utter failure to point to the commission of a single act that is recognised by the laws of our country as a high crime or misdemeanour. The inconsistency of the majority cannot fail to challenge the attention of the country. Acts for which Mr. Lincoln was clamorously applauded are deemed high crimes in Mr. Johnson. For every act so gravely condemned the President had the sanction and approval of his Cabinet; and yet while he is arraigned before the world as a criminal of the deepest dye, they are not only not impeached, but are recognised as special favourites of the party for impeachment. The latter have even gone so far as to unite in the passage of an extraordinary and unprecedented law to prevent the President from removing these officers from the places which they held. Mr. Stanton, the late Secretary of War, gave his emphatic approval of the acts for which the President is arraigned, and yet the ex-Secretary is a favourite and popular martyr, and the whole country is clamorous for his restoration to power and place. The President is held criminally responsible for the acts of subordinates, of which he did not even have the slightest notice or knowledge; and yet those bringing him to trial enact a statute depriving him of all control over these same subordinates, and they are deemed worthy of the especial protection of Congress.

... "If the subject were not too grave and serious a one for mirth, some of the

grounds of impeachment presented by the majority would certainly be sufficiently amusing. The President is gravely arraigned for arraying himself against the loyal people of the country in vetoing the miserable Reconstruction Acts of Congress, when, without dwelling upon the constitutional right and duty of the President in the premises, Congress itself has for these same Acts received the most withering and indignant condemnation and rebuke of the entire people from Maine to California. The impeachers, forgetting that they have been themselves impeached, and that the verdict of the tribunal at the last resort has already been rendered against them, still persist in trifling with the peace, safety, and prosperity of the country by precipitating upon us this dangerous question at a time so critical as this.

.... "In what we have said of the character of the evidence taken before us, and the means used to procure it, we must not be understood as reflecting upon the action of the Committee, or any member thereof. Such an interpretation of our remarks would do great injustice to us and to them. Whether such latitude would have been given in the examination of witnesses we will not now inquire. In an examination before a Committee it would be difficult, and perhaps impossible, to confine the evidence to such as would be allowed admissible before a court of justice. Indeed it may be questioned whether it would be proper to restrict it, and as perhaps better even for the President that those who were managing the prosecution outside, were permitted to present any thing that they might call corroborative evidence, as the world can thus better comprehend how utterly destitute of foundation is all this clamour that has been raised against him. The first witness examined was General Lafayette C. Baker, late chief of the detective police, and although examined on oath time and again, and on various occasions, it is doubtful whether he has in any one thing told the truth even by accident. In every important statement he is contradicted by witnesses of unquestionable credibility, and there can be no doubt that to his many previous outrages, entitling him to an unenviable immortality, he has added that of wilful and deliberate perjury, and we are glad to know that no member of the Committee deems any statement made by him as worthy of the slightest credit.

"CHARLES A. ELDRIDGE,  
"SAMUEL G. MARSHALL."

## The Anti-Slavery Reporter.

WEDNESDAY, JANUARY 1, 1868.

### NOTICE TO FRIENDS AND SUBSCRIBERS.

OUR subscribers are respectfully informed that their Annual Contributions to the funds of the *British and Foreign Anti-Slavery Society* fall due this day, the 1st of January. All subscribers to the amount of Ten Shillings annually are entitled to receive, post-free, a copy of the *Anti-Slavery Reporter*, and of any tract or pamphlet issued by the Society. To non-subscribers, the *Reporter* is sent on payment of Four Shillings in advance, commencing on the 1st of January. Payments should be made to the Secretary, L. A. Chamerovzow, either in stamps or by Post-office Order, made payable at the Post-office, New Broad Street, E.C., London.

### PRESIDENT JOHNSON'S MESSAGE.

WE believe it was of the elder branch of the Bourbons that it was said, after the Restoration, "They have learnt nothing, forgotten nothing, forgiven nothing." The same aphorism applies to President Johnson, whose third Message to Congress now lies before us, and which is eloquent with ancient prejudices, old dislikes, and characteristic implacability. Unquestionably able as a political document, it holds out no hopes for the future, cavils at the present, and quarrels with the past. To analyze it *in extenso* were not practicable within our limits. We must therefore confine ourselves to a cursory examination of only a few leading points.

In an early paragraph the President informs the country that at the present moment there is no Union as the Fathers of the Republic understood the term, and as they meant it to be understood. This is certainly true. The Union as it was, was a compromise with Slavery, and because a compromise, it was not a finality, for assuredly the founders of the Republic contemplated the extinction of Slavery at some future time. The President appears to omit, in his argument, all consideration of the changed position of the Rebel States consequent upon the abolition of Slavery, and asserts that on the cessation of the war these States promptly accepted the duty of repairing the injuries the war had



inflicted, but their purpose was defeated by legislation from which he felt bound to withhold his assent. The original rejection of the Constitutional amendment by the insurrectionary States is a complete reply to the President's assertion that they readily accepted the work of re-construction; and when he deplores the fact of some of them being unrepresented in Congress, he is certainly uncandid in not also stating that their admission on their own terms was incompatible with justice, and with the permanent consolidation of the Union they had done their utmost to break up. Slavery being abolished, the Rebel States could not remain in the Union with their old Constitution. A new element, in the freed population, had altered their relation to the other States; but whilst they were willing to accept this new element, they steadfastly refused to admit the freedmen to the privileges and rights of ordinary citizenship, and in this refusal they were strengthened by the course of the President in vetoing every Bill having for its object the enfranchisement of the freed people. The three-fifths clause of the Constitution gave the Slave States a power, of which their own rebellious attempt deprived them. When defeated, and compelled to submit to the authority of their victors, they struggled to secure the additional two-fifths preponderance, which the abolition of Slavery gave them, and thus to maintain, in another form, their old political ascendancy. The Northern leaders of the republican party saw through this crafty design very clearly, and were not disposed to submit to it. The obstinacy of the insurrectionary States rendered summary measures necessary, and the Military Government Bill solved the difficulty. Its real purpose is to remedy a constitutional inequality which the States lately in rebellion insist upon retaining, and which Mr. Johnson has done his best to compel the North to accept. It is not too much to assert, that if there be States now unrepresented in Congress, it is the fault of the President.

Mr. Johnson is singularly infelicitous in his treatment of the "status of the Rebel States." No one but the rebel leaders themselves ever alleged that those States ceased to belong to the Union because they rebelled. They are now as much in it as they ever were, but by their rebellion they forfeited the rights which Union conferred, and which Mr. Johnson insists they retain. He will have it, that as they are not now represented they are not in the Union; a most specious allegation, intended to mislead, but which will deceive those only who are willing to be cajoled. In charging the republican party—or Con-

gress, rather—with dissolving the Union, or with an attempt to dissolve it, simply because it will not admit the Rebel States to Congressional representation until they have given the guarantees for their future loyalty which the circumstance of the case render imperative, he is uncandid almost to the verge of dishonesty; for he must know and feel that only the determined action of Congress, stimulated by the republican party, has held the Union together, or is likely to consolidate it.

It was not to be expected of him that he would pass over, in silence, the subject of the reconstruction laws. He again strongly appeals to Congress to stultify itself by repealing those acts which place ten of the late rebel States under military government, and declares those acts to be unconstitutional. Undoubtedly these States are in an exceptional position, but it is also one from which they possess the power of escaping, and one which was never intended to be permanent. The President either does not or will not see, either does not or will not understand, that this exceptional position is the result of their late insurrectionary attitude. Political death is the just penalty of their treason. If they desire to rise again to their proper place in the Union, let them prove themselves worthy to occupy it by honestly accepting at once what they will have to accept sooner or later, namely, the new compromises of the Constitution in favour of freedom. They are not onerous, and will secure to them elements of unprecedented prosperity, and their legitimate share in the councils of the country. So long as they refuse to do this, so long must they submit to an arbitrary surveillance and an exceptional rule, which, notwithstanding the President's assertion to the contrary, must be regarded quite as strictly constitutional as the powers extraordinary vested in the President in his capacity of Commander-in-Chief of the military forces of the Republic, and in virtue of which President Lincoln issued his Emancipation Proclamation.

But it is in his remarks on negro suffrage that President Johnson appears to us to lose all control over himself. Any thing more unfair or further from the truth than his allegations against the republican majority in Congress can scarcely be conceived. It is simply untrue to assert that the reconstruction laws passed by the two Houses had for their avowed object "to confer upon the negroes the privilege of voting, and to disfranchise such number of white citizens as will give the former a clear majority at all the elections in the Southern States." The avowed object of the acts referred to was to place the freed-

men in the same position, in all respects, as the white citizen, not to give them preponderating political influence. It was not asked to confer upon them exceptional privileges, but it was demanded that, being freed, they should not be debarred of the rights and privileges common to the citizens of each State untainted with crime. Of what value to the freedman was his personal liberty, so long as he could not testify in a court of justice, could not inherit nor bequeath property, could not exercise the commonest rights of the lowest of his kind with a white skin? Slavery was indeed abolished, but the slave-code remained, in which might be included the police regulations for the free coloured people. Where was the guarantee that both would not be wrested to the oppression of the freedmen? It is next to certain such would have been the inevitable result of admitting rebel States to Congressional representation upon the conditions specified by Mr. Johnson. The negroes have not been "clothed with political privileges torn from white men." It is not "proposed that they shall not merely govern themselves, but shall rule the white race, make and administer State laws, elect Presidents," &c. &c. It is proposed, however, that they shall be allowed to exercise their fair amount of influence in all that relates to the government of the country and the administration of its affairs, and that their freedom shall be a real advantage to their fellow-citizens, as well as to themselves. To this state of things Mr. Johnson objects, and, as will be seen by a reference to his discourse on negro suffrage, he pours out the vials of his wrath upon the race lately enslaved, and, in a sentence, summarizes the old calumnies as to their natural inferiority to whites, and their incapacity for self-government. Now the President omits entirely to take into account the compensating element. Were what he alleges of the negro race true, his argument would resolve itself into a mere begging of the question, since the freedmen would only participate in the direction of affairs, not entirely and exclusively govern, as he would make out. The proportion of them admitted to the franchise might certainly turn an election, and the coloured voters would not be likely to give the preference to a candidate notoriously their enemy. But experience has already shewn that they exercise the privilege of the ballot with as much discrimination as the white electors, so that President Johnson's picture of the calamities to be apprehended from giving the freedmen the right to vote, may be regarded as the creation of a diseased imagination. The spirit throughout of this part of the message is highly objectionable; but at last

the President has thrown off the mask, and now stands revealed in his true character as the opponent of the rights of the freedmen. We may, however, rest assured Congress will do its duty, and, while it vindicates its own prerogative, will also see that the freedmen receive justice.

The paragraph relating to the slave-trade is interesting. We only hope the President is not too sanguine in supposing there is no further danger of the American flag's being abused for the prosecution of the traffic. The slave-trade treaty with Great Britain has proved of essential service, but if the American cruisers, acting as a police, have prevented American citizens or others from carrying on the trade under national colours, and from American ports, it would be well, so long as Slavery in Cuba exists, not too suddenly to remove what is alleged to be one of the most effectual of the checks upon the slave-traders.

#### COOLIE IMMIGRATION.

On the subject of "Coolie Immigration" much is to be said, for and against, but, so far as we have been able to judge, the preponderance of facts is not in favour of the system. Four parties have to be considered, namely, 1st, the planters, who demand foreign labour; 2dly, the community at large, which pays either the whole or a part of the cost of introducing foreign labour; 3dly, the native or Creole labourers who require employment; and 4thly, the coolies or immigrants who are introduced. We propose to examine this question as it bears upon each of these parties. We shall deal with it at present in general terms, reserving the privilege to enter into details, in support of our assertions, should necessity arise.

The demand for foreign labour in our former slave colonies arose in the desire of the planters to maintain under freedom a command of the labour force of the country, under conditions incompatible with the new state of things. They accepted emancipation reluctantly, almost with abhorrence, and instead of endeavouring to attach the freedmen to the localities where they had lived their lifetime, they drove them away by various oppressive measures, rendered them suspicious and disaffected, and compelled them to fall back for the means of existence upon their own resources. It is saying much for the industry and persevering habits of the peasantry that so many have been freeholders, and that so little actual pauperism exists. Had the planters been wise in their generation, they might have commanded an abundance of creole labour to the present hour; but unsuitable accommodation, low



wages, irregular payments, or none at all, fraudulent exactions, leading to continual litigation, and, as a rule, the defeat of the creole appellant, were not calculated to encourage the labourer to seek plantation employment. Nevertheless, so urgent were the needs of the peasantry, that they sought labour in spite of these drawbacks; and we have it upon authority that no instance can be found of any estate's having been abandoned on account of a want of labour. The following facts ought not to escape observation: that, with an increasing population, the planters have alleged a diminished amount of labour power; that, with an alleged want of labourers, the rate of wages has continually diminished, exhibiting an anomaly inexplicable by any known principle of political economy; that, all circumstances taken into account, coolie immigrant-labour is, next to slave-labour, the dearest, and therefore cannot be so advantageous to the planter as free-labour; hence, if the planter seek coolie immigrant-labour he must find compensation in some direction not immediately apparent. We shall presently dwell upon this point, but we deduce from the foregoing facts, that the labour-market in our sugar-producing colonies is in an anomalous condition, the disadvantages of which the introduction of foreign labour only aggravates, and that the planters have not made out a case justificative of their demand for it.

If, then, coolie immigrant-labour is, *per se*, more costly than free-labour—which we are in a position to prove is the case—why do the planters give it the preference over free-labour at an advanced price? The answer is to be found in the finance statements of those colonies which have received immigrants, and which shew that the general revenue is taxed to defray a considerable proportion of the cost of the immigration system. For many years the entire cost of it fell upon the community, as we can prove by certain parliamentary returns moved for at the instigation of the Committee of the *British and Foreign Anti-Slavery Society*. We may add, that but for the representations of the Committee in the proper quarter, sustained by a few friends of the anti-Slavery cause in Parliament, and by the anti-Slavery party generally, the planters would have continued, to the present day, to tax the colonial community with the entire cost of immigration. They contrived, as it was, by plausible, sophistical representations, to obtain from the late Duke of Newcastle—already pre-disposed in their favour—a concession against justice, which left the colonial revenue ostensibly chargeable with only one-third of the expenditure for “the cost of introducing immigrant labour,”

but which really amounted to quite a half, if not more, of the cost of the system. It should be borne in mind that the mere expense of “introducing” the immigrant, is small as compared with that incidental to his introduction, until he die, or return home. He must be acclimatized; he is not always immediately indentured; he may—a not inconsiderable proportion do—become incapable of work, and chargeable, as a pauper, upon the general funds, and such as die have to be buried at the public expense. A multiplicity of minor expenses, of this nature, makes the immigration system most costly to the community; and as the bulk of taxation is levied on articles consumed chiefly by the labouring population, the latter obviously bear the principal burden. Such a system is not to be defended, for it is manifestly contrary to sound government, to all principles of political economy, and flagrantly unjust, to tax the working classes for the introduction of foreign labourers to compete with them in the labour-market. We venture to assert, that were the planters compelled—as they ought to be—to defray the entire expense, in whatever form, of the immigration system, the prevalent cry of a want of continuous labour, would soon die out.

We come next to the position of the native or Creole labourer. It is alleged, that if he pay a proportion of the cost of the immigration system, it amounts to little, and he is benefited in many ways, which offer full compensation. Some kinds of work, it is said, cannot be performed by Coolies, wherefore the native labourer commands the monopoly of it, and his own price. This is a mere assertion. The exceptional work is not paid an exceptional price. Competition keeps down the rate, and this the planters know full well. It is not to be denied, that not only have wages steadily diminished, but the task has also steadily augmented. We challenge proof to the contrary. Necessity has forced the labourers to succumb to rates inadequate to the value of the work performed; and with regard to ordinary plantation labour, such as the Coolies are said to be most suited to perform, the native labourer is practically either wholly out of the market, or at the mercy of the planter. He is, in many respects, worse off than the Coolie, because the latter is at least protected by the immigration ordinances, and can demand redress if aggrieved; but the Creole comes under laws passed in the interests of his employers, and as the local judicial authorities belong to the planter-class, justice is, as a rule, denied him when one of the latter party appears as defendant.

But it is said the cultivators of provi-



sions benefit by the introduction of immigrants. This is another mere assertion, intended to mislead. While it cannot be denied that increased consumption must naturally lead to augmented production, or to an advance of price, it is notorious that the chief food of the Coolie is imported, and is taxed, and that competition has reduced the price of native vegetable products. In a word there is scarcely a fact adduced to excuse the immigration system, that cannot be easily controverted, nor an argument based upon it that cannot consequently be overthrown. Our inference is, that the native or Creole labourer is damaged by immigration.

How, in the next place, is the Coolie immigrant himself affected? It is alleged that he is greatly benefited by being taken from his own country, because wages there are low, and the population is superabundant. Were the latter the fact, we should find the Hindoos seeking, of their own free will, a settlement in districts of India less peopled than their own, or emigrating entirely out of it. So far is this from being the case, that extremely few are found scattered about the world who have emigrated voluntarily. It is established upon evidence which has passed official scrutiny, that originally Coolie immigration presented abuses and horrors which assimilated it to the slave-trade, and, even to the present day, is not free from the former. Kidnapping may now be of comparatively rare occurrence, but fraud and misrepresentation are common. Once, however, the Coolie has signed the agreement which the crimp or the Immigration Agent has submitted to him, he is no longer a free agent, but, to all intents and purposes, the bond-servant of the contractor, who has to deliver him over to the planter. It may be objected that the immigrant contracts freely. We believe the Immigration Agent takes every precaution against contracts being unwillingly made, but the mischief is done before the case comes under his cognizance. The crimp has procured him, has paid him a small sum as bounty, has received his own fee or its equivalent, and the victim cannot withdraw. He gives himself up almost wholly ignorant of whither he is going, or what kind of life awaits him.

A most objectionable feature of the immigration system is the disproportion of the sexes. The evils to which it gives rise are simply indescribable. For many years little attention was paid to the representations of the *Anti-Slavery Society*, but at length a partial remedy was introduced by rendering it compulsory to export at least one-third the number of females to males.

The measure has been beneficial, but has not met the exigencies of the case.

The great mortality on the passage to and fro, during acclimatization and colonial residence, is another sad fact. We believe we are within the mark when we say, that for every hundred Coolies who leave their country, not more than forty return at the end of ten years. We know that former assertions of our's on this subject have been contradicted, but they have never been disproved; hence, were this system to be carried out upon the gigantic scale advocated by some writers, the result must be a rapid depopulation of those parts of India whence Coolies are obtained. But apart from the question of all this suffering, we seriously question the policy of a system of which the chief feature is the removal of the labouring population of India—a country notoriously undercultivated—to remote parts of the world, there to produce staples which can be raised with equal, if not greater advantage, in the one they leave.

The advocates of immigration make the most of the fact, that returning immigrants quit the colony with large savings, to them equivalent at home to a small fortune. We give our opponents the full benefit of these statements, yet call their conclusions in question. Let us take a very recent instance, and we do not hesitate to affirm that the general results will be found in all cases nearly the same.

In the month of September last the *Ganges* left Demerara for Calcutta, having on board 400 adult return immigrants. Of these, 341 had deposited with the Colonial Receiver-General, for remittance to India, an aggregate sum of 49,141 dollars. It was estimated that they took away, in the shape of clothing, gold coins, and jewellery, about 6000 dollars more, making a sum total of, say, 55,000 dollars: 11,000*l.* Now, admitting, for mere argument's sake, that this sum was proportionately distributable amongst 341 of the return immigrants, and not amongst the whole number, namely, 400, it would give to each, in round numbers, 32*l.* 10*s.*, or at the rate of 3*l.* 5*s.* a year, ten years being the term of residence which entitles the Coolies to a free return passage. This calculation, based upon wholly independent data, fully corroborates the statement of His Excellency Governor Hicks, now of British Guiana, that the average daily earnings of the successful immigrant coolie are about 4*d.* per diem, Sundays not included. No very brilliant result this, of ten years' expatriation and toil as a bond-servant. Moreover, it has to be proved that the Coolies who return with money have saved it from their wages. A very considerable number

of them take to huckstering, and many earn money by the open prostitution of their wives.

Again, no kind of provision is made either for the secular or the religious education of the immigrants, so that contact with "Christian civilization" really does nothing for their minds or their souls.

We have submitted the general features of coolie immigration, which we believe fully justify our opposition to the system as at present conducted.

In our next we shall have to point out certain other objections more particularly applicable to immigration from China. For the present month we must leave the subject where it is.

### DR. LIVINGSTONE.

At the third meeting this session of the Royal Geographical Society, held on the 9th ultimo, at Burlington House, the President, Sir R. I. Murchison, in the Chair, further intelligence concerning Dr. Livingstone was communicated. The President informed the meeting, which was a very large one, that the probabilities of the distinguished traveller's safety were increasing. He then read two letters from Dr. Kirk, of Zanzibar, received since the last meeting. They were fourteen days later, and communicated the results of the visit of Dr. Kirk and the Consul to the mainland of Africa, where they went to question other members of the traders' caravan which had fallen in with the white traveller in the interior. As will be seen, the letters confirm fully the impression previously conveyed, that the traveller in the interior is no other than Dr. Livingstone.

The first letter was from Dr. Kirk to Mr. Webb, and was dated October 9, 1867, and was as follows :

The interesting discovery that a white man had been seen seven months ago to the south of Lake Zangau Yika induced Mr. Churchill, the Consul, and myself to go to Bagannoyo, a place on the coast—the point of arrival and departure of the Ujiji caravan. The result of our visit has been to find two other men who also saw the wanderer in the interior of the Marungu and to place his existence apparently beyond doubt. We have also learned something about his personal appearance, his escort, and the route he was taking, and have been told that letters were given to one of the head men of another caravan that is at Marungu. This man, we have since been told, is a well-known man; so that on his arrival from the interior, expected in the course of a month, we may not only have our curiosity satisfied, but, I sincerely hope, our best wishes for our dear friend Livingstone realized. I hope we shall find that he has yet been successful, and is pushing his way to the Albert Nyanza, thence to emerge, *vid* the Nile, on the Mediterranean. He will have been the first man who had not

only crossed the mountain, but has passed through the whole length of Africa, from the Cape of Good Hope to the mouth of the Nile. But the essential part of his work will have been done before he reaches the Nile, and he may safely return towards Zanzibar, if so minded, with laurels sufficient to constitute him the greatest of all explorers, and the African traveller *par excellence*. You see I am very sanguine that our friend is still alive. The manner in which we obtained the testimony was very satisfactory. In the first place, I picked up the news amongst the native traders; I then addressed the caravan people, and drew out their story while they were unsuspecting of its interest; so that neither Hurdee traders nor Suaheli men had an object to tell lies, nor any idea of how to act if they wished merely to please. Besides, our conversations were carried on without an interpreter, and although making no pretence of a full knowledge of the language, I knew quite sufficient to be able to express myself, and dispense with that fertile source of confusion, an interpreter. I need not repeat all we heard: most of what is important will be public before this reaches England. With the prospect of letters from Livingstone so near, we may well refrain from all speculation on the subject of his geographical discoveries.

The other letter was from Mrs. Kirk to Sir R. I. Murchison, and was dated Zanzibar, October 11 :

The white traveller, concerning whom Dr. Kirk wrote to you on the 28th of last month, according to further accounts, stayed five days at the village where the caravan was, and then went on to the next chief. The white man was of moderate height, not stout, wore a white coat and trousers, and a black cloth cap, round which he sometimes wrapped a white cloth. He gave the chief a looking-glass, eight yards of flannel, and a tin box. He went on northwards. He gave a letter to Bunduki, the leader of another caravan, which is expected on the coast in a month. He had a compass and other instruments, which he used at night. He could converse in Suaheli, but did so imperfectly, and with the Nyassa idiom, "like Dr. Kirk." He had a beard; three of his party; four boxes of beads, the others containing miscellaneous articles. This is all the information we have, and Dr. Kirk wishes me to tell you he has hardly any doubt at all that it is indeed Dr. Livingstone. If it is not, who can it be? There is no other white man in the interior that we know of, and a Portuguese from the west would not speak Suaheli. There is also a rumour that a white man has been seen in the country of Uruna, west of Ujiji, but as yet we have not been able to trace the report. It was heard casually mentioned in a conversation between two natives. Dr. Kirk sent a large parcel of guns, letters, and other things to Ujiji to meet Dr. Livingstone, who, if he hears in any way that such things lie there for him, it would probably influence his movements.

The opinion of the meeting was, that these letters were conclusive as to the identity of the "white man" with Dr. Livingstone.

### THE FREEDMEN'S COLUMN.

THE annual report of General Howard, of the Freedmen's Bureau, has been completed, and laid before the Secretary of War. The amount of abandoned land in the possession of the Bureau is 215,024 acres, and the number of pieces of town property 959. Transportation has been furnished during the year to 778 refugees and 16,931 freedmen, to enable them to reach places where they could provide for themselves. The total number of persons receiving relief by rations, &c., is reported at 233,372, considerably more than half of whom were whites. This special relief was discontinued last August, the supplies on hand being reserved for those who may need help in the coming winter. The total number of day, night, and industrial schools reported is 2207, with 2442 teachers, of whom 699 are coloured. The number of scholars is 130,735, an increase of 40,000 on last year. Of these, 10,056 are maintained wholly or in part by the freedmen, and they have 391 school buildings. The average amount of tuition paid per month by the freedmen was 14,555 dols. The expenditures of the Bureau for eleven months, ending August last, amounted to 3,597,397.65 dols. The surplus from unexpended appropriations for this fiscal year will be sufficient for the year, the expenditures having fallen below the estimates, and he asks no further appropriations. General Howard anticipates a continued reduction of expenses, until the legal expiration of the existence of the Bureau, in July next.

The Freedmen's Bureau was one of the institutions most furiously struck at by President Johnson. He vetoed the Bill to continue it after the expiration of the time mentioned in the original Act. At that period the effect of the malignity of the President against Congress had not been fully understood, and the veto was sustained. At the present time, if Congress chose, a new Freedmen's Bureau Bill could be passed, despite any Presidential veto that might be offered. But there is no desire to continue the department. The work which it was expected to do has been thoroughly performed. General Howard believes that the Bureau has accomplished its purpose, and that there is no necessity for renewing it. Under these circumstances it is likely that, at the time of the expiration of the Bureau by the limitation of the original Act, it will go quietly out of existence, leaving a legacy of good to the people of the Southern States, both white and black.

**SCHOOLS AMONGST THE FREEDMEN.**—The June Number of the "Consolidated Monthly School Report" of the General Superin-

tendent under the Bureau is just received. From it we extract the following:—

No. of schools reported . . . . .	1629
„ teachers . . . . .	1798
„ pupils enrolled . . . . .	98 836
„ white pupils . . . . .	1060
The average attendance . . . . .	73,624
or 74½ per cent.	
Average No. of scholars to each school . . . . .	606
„ „ teachers . . . . .	55

The largest number of schools in any State is in Virginia, being (day and night schools) 199. The smallest number was in Delaware, 20. Twenty Industrial and seventeen "Normal, or High Schools," are also reported.

The trustees of the coloured schools of the Districts of Columbia have laid their annual report before the Secretary of the Interior. There are now five good school-houses for coloured children in the district, capable of accommodating about 2000 pupils. The treasurer's report shows that the total amount expended during the year was over 17,000 dols., while the receipts, including what was received from the Freedmen's Bureau, were only 16,000 dols. The trustees complain very bitterly of the conduct of the municipal authorities of Washington, in withholding money received from taxes paid on property owned by coloured persons set apart by Act of Congress for the education of coloured children. Of this fund the city owes the trustees 61,000 dols., which it has steadily refused to pay. There were sixty-seven coloured schools supported by Northern benevolent associations during the year, at an expense of 40,000 dols. All the schools have opened this year with flattering prospects.

### THE CURSE ON HAM.

At the last annual meeting of the *American Missionary Association*, the Rev. Dr. Kirk delivered a remarkable address, from which we quote the following extract. We have not read any thing more pertinent than the Dr's. remarks on the curse said to rest on the descendants of Ham, and therefore to justify their enslavement. We commend these few observations to the attentive perusal of the *Anthropological Society*.

For two-and-a-half centuries almost, the children of Africa have dwelt among us. And what have we, as a nation, done to and for them? We have adopted principles, and pursued a course which assumed that God's curse was upon the-e his children. And now let us look at this assumption in the light of common sense, of common humanity, of the coming Judgment. Listen to the reasoning by which even the ministers of Christ's gospel have attempted to justify our conduct toward this unhappy people. It is summed up in this:—a remote branch of



the descendants of a certain man, whom no ethnologist has ever yet proved really to have been their ancestor at all, are now lying under a curse pronounced on that man for a certain unfilial action of which he was guilty. Now mark, this man was living near Mount Ararat in North-Western Asia; but this people's home was the Western Coast of Africa. Mark again; this curse was uttered not even against the transgressor, but against one of his several descendants, whose posterity were to inhabit Western Asia; and it is evident that this curse was recorded by Moses for the purpose of nerving the Israelites to the terrible task of extirpating the inhabitants of Canaan. Mark again; this curse as a specific curse authorizing the enslavement of one particular race, now four thousand years old, if applicable to the races of Western Africa, was not to be executed for ages: not by the Assyrian, or the Egyptian, by Greece, or by Rome, but to be held in suspense for more than four thousand years, to be executed chiefly by the Anglo-Saxon colonists, inhabiting a continent not to be known by civilized man for thousands of years from its date; nay, that it was our peculiar glory to be the executioners of that curse, and the watchful guardians over that devoted race, charged to see that it should never rise to manhood, that one stray beam of hope should never reach its heart, that in the remotest ages no negro should become a man in the land whose mission is, to be the asylum of the oppressed, the home of the free. Nor did our piety content itself within these limits. So far from finding it a cross to be the executioners of this unappeasable, divine indignation, we exulted in it; one of us called it the distinguishing mission of our country, declaring that this curse of God on Ham was the foundation-stone of the highest form of Christian civilization. We were not accustomed to pray that Ham's sin, like our own, might be forgiven.

#### BIRMINGHAM NEGROES' FRIEND SOCIETY.

THE following is a summary of the last report of this Society. The subscriptions during the last year amounted to 166*l.* 3*s.*, which enabled the Committee to assist fourteen Missionaries in Jamaica, with their schools; one each in Antigua, Demerara, Montserrat, also in Central America, and two residing on the West Coast of Africa. The Committee say: "It was the lot of our predecessors to wrestle in the conflict for the overthrow of Slavery. Ours is the path of assiduous effort for subduing those evils which ever follow in its train. Bishop Coleridge's opinion was, that the system of Slavery leaves its traces for three generations. Mr. Roundell affirms there is that in the system of Slavery which even the sovereign power of freedom can only gradually, slowly, and painfully extirpate." Speaking of the steps that were taken on the prosecution of Governor Eyre, the report says: "We cannot with-

hold the expression of our admiration for the intrepidity of the gentlemen constituting the Jamaica Committee, who took on themselves the responsibility of the steps for prosecuting Governor Eyre in the face of much public odium. We fully believe that their object was to vindicate the law, and to provide constitutional safeguard against the recurrence of such abuse of prerogative. We would invite our subscribers to read the charge of the Lord Chief Justice (Sir A. Cockburn) to the grand jury on the cases of Lieutenant Brand and Brigadier Nelson, now published on his own authority. The following are his emphatic words, referring to G. W. Gordon: 'As a minister of justice, profoundly imbued with a sense of what is due to the first and greatest of earthly obligations, I enter my solemn protest against the lives of men being thus dealt with in time to come.' After the reports of the outbreak in Jamaica had been fully confirmed, the Society of Friends sent out a deputation of inquiry to that island—Thomas Harvey, of Leeds (who was Joseph Sturge's companion in his visit to the West Indies in 1836), and William Brewin, of Cirencester. The information thus obtained is embodied in a small volume, entitled *Jamaica in 1866*, published at 5, Bishopsgate-Street Without, London, price 1*s.* 6*d.*, which throws much light on numerous questions relating to the past, present, and future of Jamaica. The decline of the slave-trade on the Western Coast will be very encouraging if maintained; the prevalence of this desolating and terrible traffic on the East Coast has been depicted to us afresh in Sir S. Baker's volumes, *The Albert Nyanza*. It would have been well for his own consistency that Sir S. Baker's tone in speaking of the negroes had been as generous as that of the lamented Dr Livingstone. Looking at Spain, our friends will be gratified to learn that the Spanish people have been so imbued with the idea of emancipation, that the English minister at Madrid has expressed his surprise at the extraordinary development of anti-Slavery feeling. The friends of this Society who may have any influence in Cuba may promote the cause by the expression of an anxious wish that the enlightened policy of freedom should gain the ascendant in that island." The report concludes with an earnest wish for the means to keep up and extend the objects of the Society. It is the conviction of its members, and shared by others, that, had the strenuous efforts now being made by the American people for the religious and industrial education of their freed population been organized and maintained by the English people for the West-India peasantry, on the

passing of our own Act of Emancipation, such a catastrophe as startled us from Jamaica two years ago might never have happened. That the efforts of this Society have tended, as far as they have gone, in this direction, was acknowledged by the Rev. J. D. East, in a speech at the last anniversary, in the following terms: "In seasons of excitement, such as those through which we have recently passed, I know of nothing which tends more to quiet the mind and subdue the resentments which might arise, than such organizations as yours."

#### SCENE IN A JAMAICA COURT OF JUSTICE.

A LETTER dated Kingston, Nov. 10th ult., and published in the *Morning Star*, says that a great sensation had been produced throughout the country by the extraordinary conduct of Mr. Justice Lowry on the bench of St. Mary. The following scene is said to have taken place during the hearing of a case:—Silvera was the petty debt collector of the parish, who was arrested and imprisoned by Governor Eyre during the rebellion of 1865 for seditious language. Silvera tenders his objections in writing against the jurisdiction of the justices: one was received, the other was rejected.—Silvera (to the clerk of court): "I must ask you to note that I tendered two objections. I demand—" Judge Lowry: "Do not interrupt the court, sir. How dare you address the clerk, sir? They shall not be taken down. You are a swindler; you and the other man (Kelly) have swindled the public for a long time."—Silvera: "Am I in a British court of justice or not? All I look for is justice. (Thumps the table.) Am I—" Judge Lowry: "Hold your tongue, sir, or I shall commit you. Produce your warrant."—"All my papers were taken away by the Government, and I have not had them back; but ——" Judge Lowry: "Shut your mouth, sir. Hold your tongue. I do not believe you; you have been robbing the people for a long time."—Silvera: "I must ask your worship to give me fair play. And ——" Judge Lowry: "Shut your mouth, sir."—Silvera: "I beg to tender one Reid as a witness."—Judge Lowry: "What is he to prove?"—Silvera: "I wish him examined."—Judge Lowry: "Then, if that is all the answer you have to make the court, you shall not call him."—Silvera: "I apply for a postponement of this case. Alexander Currie is a material witness on my behalf, and he is not present."—Judge Lowry: "I won't postpone the case, sir; it shall go on. Why did you not subpoena Currie?"—Silvera: "I thought

he would have been present; but as he is not, I wish to have him examined as a witness. I expected him here."—Judge Lowry: "You lie, sir."—Silvera: "I return the lie to the bench." (Thumps the table.)—Judge Lowry: "Shut your mouth, sir, or I shall commit you. That seems to me to be what you want."—Silvera (at the top of his voice, and with great gesticulations): "If the gallows was near me, and you called me a liar, and I had to mount it, I would return the lie. (Thumps the table.) Am I in a British court of justice?"—Judge Lowry: "You are, sir, and therefore I will not postpone the case. You subpoenaed your witnesses and you could have subpoenaed Currie; but you waylaid the policeman, and took away a letter addressed to Mr. Allwood."—Silvera: "It is not the truth; you returned my letter to the boy I sent with it."—Judge Lowry: "You lie, sir; you waylaid the policeman, and took it away; in short, you stole it, sir."—Silvera: "The lie, I say again, is with the bench, and not with me. Am I not to have justice?"—Judge Lowry (to the clerk of the court): "Go on with the case."

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